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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. 96-215
Table of Allotments,)	RM-8898 and 8924
FM Broadcast Stations)	
(Anamosa and Asbury, Iowa))	

To: Chief, Mass Media Bureau

REPLY TO OPPOSITION

Susan I. Coloff, by her attorneys, hereby submits her Reply to the "Opposition to Petition for Reconsideration" filed on February 10, 1998, by counsel for Sports America Radio Network ("SARN") in the above-captioned proceeding, stating as follows:

As she previously has advised the Commission, Coloff seeks the allotment of a new FM channel to Anamosa, Iowa, so that she may provide that County Seat and surrounding Jones County with their first locally-oriented broadcast service. Indeed, hers would be the first station to be located within the entire county. Coloff also has shown that the transmitter site for such a station would have to be located within or in the immediate vicinity of Anamosa in order to reach the northern section of Jones County, including Monticello, Iowa, the other significant community in the county. A site restricted to the southwest of Anamosa might help her reach Cedar Rapids, Iowa, the urbanized area closest to Anamosa, but that is not her objective and she could not provide adequate coverage of Monticello from such a site. Perhaps the Commission has not seen recent evidence of the fact, but there still are broadcasters in rural areas of the country who seek to serve those areas rather than finding channels in smaller communities which can be used to

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penetrate a larger urbanized market.

In her Petition for Reconsideration, Coloff pointed out that the site restrictions set forth in the Commission's Report and Order ignored these basic facts -- and the fact that a site restriction imposed only on an Asbury, Iowa channel would still enable the proponent of that allotment to serve both the town of Asbury and the larger adjacent market of Dubuque, Iowa. That is, the objectives of both proponents can be attained only by the placement of a site restriction on the Asbury channel alone.

The Opposition filed in the name of SARN ignores the basic points made by Coloff and offers no reasons at all as to why Coloff's proposal in this regard should be ignored. That is, SARN proffered no reason why the site restriction proposed for the Asbury channel by Coloff should not be adopted. The Opposition also made no reference to the showing made by Coloff that the Report and Order simply ignored one of the fundamental arguments which had been presented by Coloff in the proceeding. While the Opposition did contain an engineering exhibit which noted that a somewhat larger "siting area" to the south and west of Anamosa may now exist, a station located within that area still would not be able to provide adequate service to Monticello, to the northeast of Anamosa. The SARN Opposition notwithstanding, Coloff's Petition for Reconsideration therefore should be granted.

Moreover, it is well established that the Commission will allot a new FM channel to a community only in those instances where a petitioner both asserts that it intends to apply for the channel in question and thereafter maintains such intention throughout the rule making process. Yet, SARN plainly has no such intention at present, even if it did at the outset of this proceeding. Specifically, and as detailed in the accompanying Statement of Anthony Coloff, SARN has no

intention of continuing its business activities of any sort. Rather, it has failed financially, has substantial and overwhelming financial liabilities, and at this time is in the process of liquidation. Given these circumstances, it is clear that SARN can have no present intention of constructing a broadcast station. There thus is no reason why the Commission should allot any channel to Asbury, much less one which would preclude the operation of a station in Anamosa by a proponent which does have a genuine, current intent to bring a local service to an area which presently lacks one.

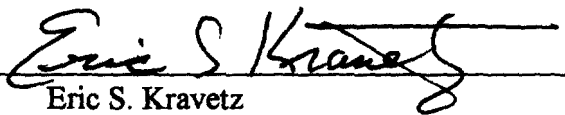
In short, there are a multitude of reasons why the Commission should allot a new channel to Anamosa, Iowa, which can be utilized to serve that community and the surrounding county for which it is the County Seat. There is absolutely no reason -- and no reason has been advanced on behalf of SARN -- why a channel allotted to Asbury (if one may be allotted at all) should not have a site restriction which would enable a broadcaster on the Anamosa channel to fully serve the area intended to be served.

For the reasons set forth in Coloff's initial petition for rule making, in her Petition for Reconsideration and in the above Reply, Channel 239A should be allotted to Anamosa, Iowa,

without a site restriction which would limit the ability of a station operating on that channel to serve Anamosa and the surrounding areas of Jones County, Iowa.

Respectfully submitted,

SUSAN I. COLOFF

By: 
Eric S. Kravetz

Brown, Nietert & Kaufman
1920 N Street, N.W. - Suite 660
Washington, DC 20036

February 19, 1998

Her Attorneys

Statement of Anthony Coloff

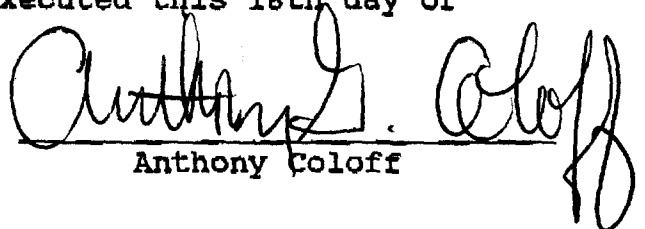
Anthony Coloff hereby states as follows:

I am President, General Manager and 50% owner of Station KIOW(FM), Forest City, Iowa. I also am the husband of Susan Coloff, who has asked the FCC to allot a new FM channel to Anamosa, Iowa. I was aware that Sports America Radio Network had submitted a proposal to the FCC which would have limited the service which an Anamosa station could provide to Jones County, Iowa, and thus became interested when I read a brief news item in the Des Moines Register that that company was going out of business. Searching for more information, I later learned that a more detailed news article had been published by the Cedar Rapids Gazette. I could not obtain a copy of the newspaper, itself, but the publisher sent me the text of the article, which is attached.

The article confirmed that SARN was going out of business and liquidating its assets. The article also mentioned that the company had defaulted on a loan from the Iowa Department of Economic Development. I therefore contacted the IDED to see if I could confirm the newspaper reports. The IDED then sent me a copy of the Default Notice which it had sent to SARN. A copy of that Default Notice is attached, as well. It confirms that SARN 'has ceased operations and is preparing to dispose of business assets.'

The Default Notice refers to Tom Ambrose, of SARN. By calling others whom I know in the field, I eventually was able to discover Mr. Ambrose's telephone number: (612) 522-1636. I called Mr. Ambrose during the week of February 8, 1998, when he confirmed that the news article and Default Notice were correct. He explained that SARN had debts of \$250-300,000, that it was liquidating all of its assets to pay these debts, and that it no longer would be conducting any business. I specifically asked him whether SARN presently intends to construct and operate a new radio station in Asbury, Iowa, and he told me that he is President and a partner in SARN and has no intention of doing so.

I hereby certify under penalty of perjury that the above statement is true and correct. Executed this 18th day of February, 1998.


Anthony Coloff

To: Tony Coloff
Fax: (515) 582-2990

Published 9/14/97, page 16, section A, final edition

HD:SportsAmerica pulls plug on radio network

BY:Rick Smith

SO:Gazette staff writer

DYERSVILLE - Calling it quits. Liquidating assets. It wasn't supposed to happen here on Field of Dreams Way.

SportsAmerica Radio Network - which took to the air a year ago from a new studio on the new street named for the 1989 movie filmed here - intended to parlay "Field of Dreams" magic into a sports-gab network with a nationwide reach.

In time, SportsAmerica hoped to become as household a name as ESPN. It will not. SportsAmerica owners pulled the plug last month, and this week said they will begin liquidating assets later this month.

"I wish the story had a different ending. But unfortunately it does not," Jim Coursolle, chief executive officer of the network's corporate entity, SARN Inc., mourned this week.

Coursolle of Oshkosh, Wis., who owns radio stations in Wisconsin, said that the network's demise did not come because of its concept, the quality of its nightly two-hour call-in show or its studio location in a quiet town in America's heartland.

To blame, he said, is the increasing concentration of radio stations in the hands of a few corporate giants, a trend fueled by federal deregulation of the radio business in 1996.

SPORTSAMERICA, HE added, did not foresee this change as it readied to take the air a year ago. As Coursolle explained, SportsAmerica soon discovered that a single person was making a decision for a couple hundred radio stations on whether or not to air SportsAmerica programming.

Many of these decision-makers were waiting to see if the network could survive a year or two before signing on. That caution prevented SportsAmerica from building a base and staying afloat, Coursolle said.

A year ago, the president of the Radio-Television News Directors Association, called the SportsAmerica concept a gamble and said the new sports-talk network faced "formidable challenges."

"I'm proud to be a prophet, but not at someone else's expense," David Bartlett, now a private consultant in Washington, D.C., said this week upon hearing of SportsAmerica's demise.

Bartlett disagreed with Coursolle, doubting that deregulation had much to do with SportsAmerica's failure.

"The bottom line is still programming," Bartlett said.

"If the product is solid and well positioned, the show had a chance."

Bartlett suggested that SportsAmerica's concept could not work. Sports-talk radio, he noted, has had its best successes as a local phenomenon, depending on local-team loyalty, gossip and controversy to sell the show, he said. "It has always been hard to project that appeal to a national audience on radio," Bartlett said.

Equipment was part of the SportsAmerica concept. The network offered its two-hour nightly talk show by linking a celebrity sportscaster and sports fans to the Dyersville studio by satellite. A SportsAmerica staffer in the studio would choreograph the questions and answers with the celebrity, among whom were Charley Jones, Irv Cross and (part owner) Ray Scott. The chit chat then was beamed via satellite to affiliate radio stations nationwide.

SportsAmerica's crucial challenge was to build a network from among 10,000 commercial stations in the United States.

After a year, fewer than 50 stations had signed on. SportsAmerica's biggest victories were in the St. Louis market and at stations with far reaches, in Shreveport, La., Topeka, Kan., and Janesville, N.D., Coursolle said.

Only KCRG-AM in Cedar Rapids and a station in Dubuque aired the SportsAmerica talk show in Iowa.

"Could anybody have pulled this off?" Coursolle said. "That encompasses a lot. Bill Gates to Michael Eisner of Disney. I would guess somebody with deeper pockets probably could have pulled it off."

In recent months, Coursolle said he was laboring to merge SportsAmerica with another small sports-talk network, but did not succeed. Even now, he said he'd welcome a new infusion of capital and entrepreneurial courage to try to put SportsAmerica back on the air.

But he doesn't expect that.

Investors in Wisconsin and Iowa have lost money, and that includes Coursolle, network president Tom Ambrose and veteran sportscaster Ray Scott.

The new studio building on Field of Dreams Way will revert back to a local bank.

Among those enamored with the idea was the Iowa Department of Economic Development (IDED). It agreed to loan SportsAmerica \$50,000 and to hand over a second loan of \$50,000, this one forgivable, if the company survived two years and had 22 employees.

The IDED expects to retrieve the \$50,000 it loaned once SportsAmerica liquidates hundreds of thousands of dollars in broadcast equipment, an IDED spokesperson said.

GR:PHOTO

PH:Gazette file photoCU:The SportsAmerica Radio Network studio was located in Dyersville.



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF ECONOMIC DEVELOPMENT
DAVID J. LYONS, DIRECTOR

September 3, 1997

DEFAULT NOTICE

Mr. James Coursolle
SARN, Inc.
3891 Waukau Avenue
Oshkosh, WI. 54903

The Honorable Robert Kramer, Mayor
City of Dyersville
City Hall, 340 1st Ave. E.
Dyersville, Iowa 52040

RE: Community Economic Betterment Account (CEBA) Program
Agreement Number: CEBA 96-17: SARN, Inc./City of Dyersville

Dear Mr. Coursolle and Mr. Kramer:

Please let this letter serve as official notification that SARN, Inc. and the City of Dyersville are declared in default of CEBA Agreement #96-17. Specifically, the Business is in noncompliance of Articles 10.1(b),(c), (e), (g), (l), & (k) of the agreement and of the Promissory Note - Attachment B to the CEBA agreement. Monthly loan repayments due the last day of each month beginning December 31, 1996 have not been received by the Department (\$7,499.97 past due). Further, in conversations with Mr. Coursolle, he informed the State that SARN, Inc. has ceased operations and is preparing to dispose of business assets

The Iowa Department of Economic Development demands immediate repayment of \$52,984.76 (\$50,000 principal amount owed plus 6% penalty interest \$2,984.76). Please mail your payment to:

CEBA Program Manager
200 E. Grand Avenue
Des Moines, Iowa 50309

Interest penalty charges will continue to accrue at 6% APR if payment is not received by September 12, 1997. Failure to make payment by September 12, 1997 will result in your account being referred to the Iowa Attorney General's Office. All reasonable costs of collection and reasonable attorney fees will be charged to SARN, Inc. and its guarantors.

If you have questions or would like to discuss this matter further, I may be contacted at 515-242-4810 or Michael Swesey at 515-242-4853.

Sincerely,

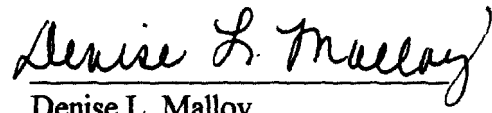
Kenneth H. Boyd
Program Manager

cc: Andy Anderson, Assistant Iowa Attorney General
Melanie Johnson, Legal Counsel-IDED
Tom Ambrose, SARN, Inc.
Ray Scott, SARN, Inc. c/o Mr. Mark Pidgeon, Attorney
Chuck Hertel, Attorney-SARN, Inc.
Stan Bernard, Revenue Control Systems

Certificate of Service

I, Denise L. Malloy, a Secretary of Brown, Nietert & Kaufman, Chartered do hereby certify that I have caused a true copy of the foregoing "Reply to Opposition" to be sent on the 19th day of February 1998 via First Class, U.S. mail, postage prepaid, to the following:

Eugene T. Smith, Esq.
715 G Street, SE
Washington, D.C. 20003


Denise L. Malloy